

**REMARKS**

Claims 1-20 are pending in this application. By this Response, Applicants are amending claims 1 and 6. Accordingly, claims 1-20 are at issue. Applicants respectfully submit no new matter was added by these amendments and that such amendments are supported by the Application as originally filed.

The Examiner has rejected claims 1-6 under 35 U.S.C. 112, second paragraph. Applicants have amended claims 1 and 6 in response to the issues raised by the Examiner. Accordingly, Applicants respectfully submit this rejection is moot.

The Examiner has rejected claims 1-2, 5-9, 12-13 and 17-20 under 35 U.S.C. 102(e) as being unpatentable over Baker. Applicants respectfully traverse this rejection.

Claim 1 is directed to a method for notifying an operator of an automation network of a problem requiring human intervention. In this regard, claim 1 requires “transmitting an object module human-machine interface application including data and functions from said intelligent automation device to a receiving device operably connected to the automation network; and, activating the object module human-machine interface application at the receiving device **for notifying the operator of an event and requesting human intervention.**”

As set forth in the present Application:

This invention allows operator personnel to be notified of an event requesting human intervention without requiring operator personnel to continuously maintain an active alarm handling application for the automation network 10. (Application, p. 3).

The system disclosed in Baker provides for identifying a network device based on the physical location of the device. This allows a network device to be replaced without requiring “the skill of a network management personnel to modify the application programs with respect to the network address.” (Baker, col. 4, lines 31-35).

The Examiner maintains that Baker discloses “transmitting an object module human-machine interface application including data and function from by [sic] the intelligent device to a receiving device operably connected to the automation network; and activating the object module human-machine interface application for notifying the operator of an event and requesting

human intervention, the object module human-machine interface being responsive to the signal” citing to Figure 2 and column 3 line 53 to column 4, line 45 of Baker.

Contrary to the Examiner’s position, Baker does not disclose a system wherein an object module human-machine interface application **for notifying an operator of an event and requesting human intervention** is transmitted to a receiving device. There is absolutely no disclosure in Baker of any process for requesting human intervention, let alone the specific process required in claim 1. Baker is primarily concerned with an addressing scheme based on the physical location of a device. The portion of Baker relied upon by the Examiner only discusses the usefulness of this scheme when replacing one network device for a another device experiencing a problem. There is no discussion in the cite portion (or anywhere else in Baker) of the device requesting intervention in the manner required by claim 1. Accordingly, Applicants respectfully maintain claim 1 is not anticipated by and is patentable over Baker. See *RCA Corp. v. Applied Digital Data Systems, Inc.*, 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984) (Anticipation is established only when a single prior art reference discloses each and every element of a claimed invention.).

Claims 2 and 5-6 depend on claim 1 and include each of its limitations. Accordingly, Applicants respectfully submit claims 2 and 5-6 are also patentable over Baker.

Claim 7 requires “the intelligent automation device is configured to transmit the object module human-machine interface application to the receiving device to notify the operator of an event requesting human intervention in response to the sensor.”

As set forth above with respect to claim 1, Baker does not discloses a system wherein a transmitted application notifies an operator of an event requesting human intervention. Accordingly, Applicants respectfully submit claim 7 is not anticipated by and is patentable over Baker.

Claims 8-9, 12-13 and 15 depend on claim 7 and include each of its limitations. Accordingly, Applicants respectfully submit claims 8-9, 12-13 and 15 are also patentable over Baker.

Claim 17 requires “an object module human-machine interface application including data and functions for requesting human intervention with the automation network embedded in the intelligent automation device.”

As set forth above, Baker does not disclose providing an application that requests human intervention. Accordingly, Applicants respectfully submit claim 17 is not anticipated by and is patentable over Baker.

Claims 18-20 depend on claim 17 and include each of its limitations. Accordingly, Applicants respectfully submit claims 18-20 are also patentable over Baker.

The Examiner has rejected claims 3-4 and 10-11 under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Mukaiyama. Applicants respectfully traverse this rejection.

The present application is owned by Schneider Automation Inc. An Assignment of the inventors of the present application to Schneider Automation Inc. was recorded on August 1, 2000 at Reel 011115, Frame 0318.

The primary reference relied upon by the Examiner, Baker, is also owned by Schneider Automation Inc. An Assignment of the inventors of Baker to Schneider Automation Inc. was recorded on August 16, 2000 at Reel 011178, Frame 0185.

The subject matter of the claimed invention and Baker were both owned by Schneider Automation Inc., or subject to an obligation of assignment to Schneider Automation Inc. at the time the claimed invention was made, and are currently still owned by Schneider Automation Inc. Accordingly, Baker cannot preclude the patentability of claims 3-4 and 10-11 under 35 U.S.C. 103(a). *See* 35 U.S.C. 103(c).

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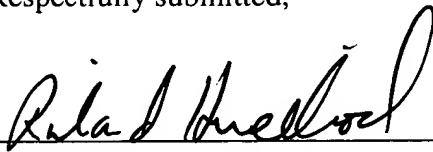
**CONCLUSION**

In light of the foregoing Amendments and Remarks, Applicants respectfully submit pending claims 1-20 are in condition for allowance. The Examiner is invited to contact the undersigned if there are any questions concerning this Response.

The Commissioner is authorized to debit or credit Deposit Account No. 23-0280 for any payment **deficiencies or overpayments** associated with this matter.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on June 27, 2006.

  
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